

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MICHAEL J. WANG,

Plaintiff,

-against-

MEMORANDUM AND ORDER
05-CV-0845(JS)(ARL)

OFFICE OF PROFESSIONAL MEDICAL
CONDUCT NEW YORK STATE DEPARTMENT
OF HEALTH,

Defendant.

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APPEARANCES:

For Plaintiff: Michael J. Wang, pro se
4 Chester Street
South Setauket, New York 11720

For Defendant: Toni E. Logue, Esq.
NYS Attorney General's Office
200 Old Country Road, Suite 460
Mineola, New York 11501

On February 23, 2006, this Court dismissed without prejudice Plaintiff's Complaint against the Defendant. In that same Order, the Court gave Plaintiff thirty days to file an Amended Complaint. Instead of filing an Amended Complaint, however, Plaintiff appealed the dismissal of the Complaint to the Second Circuit Court of Appeals. On May 30, 2006, the Second Circuit dismissed Plaintiff's appeal due to Plaintiff's default. See Wang v. Office of Prof'l Med. Conduct, N.Y. State Dep't of Health, No. 06-1092-cv (2d Cir. May 26, 2006).

In the interest of fairness and in light of Plaintiff's pro se status, the Court grants Plaintiff twenty (20) days from the date of this Order to file an Amended Complaint. If Plaintiff

fails to file an Amended Complaint within this time, the Court shall dismiss this Complaint with prejudice for failure to prosecute. See Fed. R. Civ. P. 41(b).

SO ORDERED.

/s/ JOANNA SEYBERT
Joanna Seybert, U.S.D.J.

Dated: Central Islip, New York
June 6, 2006